RECEIVED CENTRAL FAX CENTER

NO. 652 P.

MAY 0 2 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number

10/659,644

Confirmation No.:

3665

Applicant

Ronald Lee Amey

Filed

September 10, 2003

Title

Melt-Sprayed Curing Agent Powder and Powder Coating

Compositions Made Therefrom

TC/Art Unit

: 1713

Examiner:

William K. Cheung

Docket No.

PI1220USDIV

Customer No.

43693

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181 BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE

Sir:

Applicant hereby submits this Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181 based on failure to receive Notice of Allowance, and respectfully requests that the holding of abandonment of the application be withdrawn based on the facts set forth herein.

BACKGROUND

Applicants filed this application on September 10, 2003. On April 15, 2004, a Notice of Allowance was mailed, giving Applicant until July 15, 2004 to pay the Issue Fee and Publication Fees of \$1630.00. On August 17, 2004, a Notice of Abandonment of the Application was mailed due to failure to timely pay the Issue Fee and Publication Fee.

Undersigned counsel attests to the fact that a search of the file jacket and the docket records indicates that the Notice of Allowance was never received. A copy of the docket record where the nonreceived Notice of Allowance would have been entered and docketed is attached.

Appln. No. 10/659,644
Petition dated October 25, 2004
Reply to Notice of Abandonment mailed on August 17, 2004

CONCLUSION

Based on this evidence, Applicant respectfully requests the Notice of Abandonment should be withdrawn and that the Application should be reinstated. Applicant contemporaneously submits the Issue Fee and Publication Fee of \$1630.00, and authorizes the Commissioner to deduct this amount from the undersigned's credit card (PTO-2038 attached). It is believed that no fees are due upon filing this Petition. If additional fees are determined to be due, Applicant authorizes the Commissioner to deduct those fees from the undersigned's credit card (PTO-2038 attached).

Date: October 28, 2004

Respectfully submitted,

Charles E. Kuket.

INVISTA NORTH AMERICA S.À R.L. 4417 Lancaster Pike Legal - Bldg. 722/WR1032 Wilmington, Delaware 19850

Tel.: (302) 999-3708 Fax: (302) 999-3881 Charles E. Krukiel Registration No. 27,344